IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24652 of 2004

Between:

G.S.L.Educational Society Rajahmundry , East Godavari District
rep. by its Secretary & Correspondent Dr. Ganni Bhaskar Rao.

..... PETITIONER

AND

1 The District Collector, East Godavari District at Kakinada.
2 The Sub-Collector, Rajahmundry, East Godavari District.
3 The Mandal Revenue Officer, Rajanagaram Mandal,
East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 1 & 2 in not taking any action on the proposal/report submitted by the 3rd respondent in reference No.B.420/2003, dt.26-06-2003 for transfer of land to an extent of Ac.1.82 cents in survey Nos.135, 148 & 149 situated at Venkatapuram village, Rajanagaram Gram Panchayat and Mandal, E.G.Dist. in favour of the petitioner on payment of market value as illegal, arbitrary and unjust and consequently direct the respondents to consider the proposal submitted by the 3rd respondent in ref.B.420/2003,
dt.26-06-2003 forthwith in the interest of justice .

For the Petitioner: MR.K.VENKATESH, Advocate.

For the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The case of the petitioner, namely G.S.L. Educational Society, is that they made an application dated 10-4-2003 requesting the respondent authorities to assign or transfer the land covered by footpath/Government Poramboke to an extent of Ac.1-82 cents in R.S. Nos.135, 148 and 149 of Venkatapuram village, Rajanagaram Mandal of East Godavari District in their favour on payment of market value for the purpose of their Medical College, and thereupon pursuant to the instructions of the second respondent-Sub Collector in the matter, the third respondent-Mandal Revenue Officer after making personal inspection of the land, submitted his report vide ref.B.4290/2003, dated 20-06-2003 to the second respondent proposing for conversion of footpath porambokes to Ayan (Government Dry) for consequential assignment or transfer in their favour on payment of market value, as was resolved by the Gram Panchayat, Rajanagaram, but no action has been taken in the matter so far. Assailing the action of respondent Nos.1 and 2 in not taking any decision on the proposals submitted by the third respondent in the matter, the petitioner filed this writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The matter as to taking a decision on the proposals submitted by Mandal Revenue Officer proposing for assignment or transfer of Government land on payment of market value, is an administrative matter, purely within the purview of the administrative authorities, and this Court in exercise of its power under Article 226 of the Constitution of Indian cannot interfere in it and direct respondent Nos.1 and 2 to pass orders on the proposals submitted by respondent No.3-Mandal Revenue Officer. Inasmuch as it is the duty of respondent Nos.1 and 2 to pass appropriate orders on the proposals of respondent No.3, the petitioner has no cause of action in this writ petition.

Accordingly, the writ petition is dismissed at the stage of admission.

N.V. RAMANA, J

Date: 29-12-2004

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To

1 The District Collector, East Godavari District at Kakinada.
2 The Sub-Collector, Rajahmundry, East Godavari District.
3 The Mandal Revenue Officer, Rajanagaram Mandal,
East Godavari District.

4 Two CCs. to the Government Pleader for Revenue, High Court Buildings, A.P., Hyderabad (OUT).

5 Two CD copies.